

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

S.S. WHITE BURS, INC.)	
a New Jersey Corporation, and)	
TEMPLE UNIVERSITY-)	Civil Action No. 02-cv-3656
OF THE COMMONWEALTH)	
SYSTEM OF HIGHER EDUCATION,)	Hon. Bruce Kauffman, U.S.D.J.
a non-profit corporation of the)	
Commonwealth of Pennsylvania,)	
)	
Plaintiffs,)	
v.)	
)	
NEO-FLO, INC.)	
d/b/a MICROCOPY)	
a California corporation,)	
)	
Defendant.)	

**PLAINTIFFS' UNCONTESTED MOTION FOR ENLARGEMENT OF TIME TO FILE
A RESPONSE IN OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT AND SERVE RESPONSES TO DEFENDANT'S WRITTEN DISCOVERY**

Plaintiffs, S.S. White Burs, Inc. ("S.S. White") and Temple University – of the Commonwealth System of Higher Education ("Temple"), by and through undersigned counsel, respectfully move for an enlargement of time of two weeks, to January 20, 2003, to file a response in opposition to the motion for summary judgment of defendant, Neo-Flo, Inc. d/b/a Microcopy ("Neo-Flo") as well as serve responses to Neo-Flo's written discovery. In support of this motion, plaintiffs aver as follows:

1. This case is a patent infringement action.
2. On December 4, 2002, defendant served written discovery, namely requests for production of documents and interrogatories, by mail upon Plaintiffs. Accordingly, under the Federal Rules of Civil Procedure, plaintiffs' responses to defendant's written discovery must be timely served upon defendant by Monday, January 6, 2002.

3. On December 18, 2002, defendant filed and served by mail upon plaintiffs, a motion for summary judgment. Accordingly, under the Local and Federal Rules of Civil Procedure, plaintiffs' response in opposition to defendant's motion for summary judgment must be timely filed and served upon defendant by Monday, January 6, 2002.

4. A portion of plaintiffs' response time for the motion and written discovery falls over the holiday season. Due to the holidays, plaintiffs have been unable to obtain all the necessary information and secure the appropriate declarations to fully respond to the motion for summary judgment and the written discovery. As such, good cause exists for an enlargement of time. Further, a brief extension will not delay the case management deadlines of this case.

5. Plaintiffs sought and obtained the concurrence of defendant for an enlargement of time to respond to the motion for summary judgment and the written discovery. Specifically, on December 30, 2002, Gary Gillen, Esquire, counsel for plaintiffs, spoke on the telephone with Robert Kennedy, Esquire of the law firm of Baker, Donelson, Bearman & Caldwell, lead trial counsel for defendant. Mr. Kennedy granted plaintiffs' request for a two-week extension of time, to January 20, 2003, to respond to the motion for summary judgment and serve written discovery responses. A copy of a stipulation indicating defendant's consent is attached hereto.

6. Having obtained defendant's consent, undersigned counsel hereby certifies, pursuant to Local Rule of Civil Procedure 7.1(b), that this motion is uncontested.

WHEREFORE, on behalf of the plaintiffs, S.S. White and Temple University, undersigned counsel respectfully requests this Court to grant plaintiff an enlargement of time until Monday, January 20, 2003 to file a response in opposition to the defendant's motion for summary judgment and defendant's written discovery to plaintiff.

Respectfully submitted on this 31st day of December 2002.

COZEN O'CONNOR, P.C.

By: _____

Camille M. Miller
Brian J. Urban
1900 Market Street
Philadelphia, PA 19103
Telephone: (215) 665-2000
Facsimile: (215) 665-2013

Attorneys for Plaintiffs
S.S. White Burs, Inc. and
Temple University - Of The
Commonwealth System Of Higher
Education